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SUBJECT: PUBLIC CHAMBER TAKES UP PRESS FREEDOM

REF: MOSCOW 3375

Classified By: Political Minister Counselor Alice Wells for reasons 1.4
(b) and (d)

11. (C) Summary: In response to the recent attack on independent journalist Mikhail Beketov, the Public Chamber held a hearing on November 25 at which Lawyers Association head Pavel Astakhov proposed a legal amendment to the criminal code increasing the punishment for endangering the life of a journalist to up to 20 years. Public Chamber members were nearly unanimous in their support of Astakhov's proposal as well as his indignation over the recent attacks. Both Khimki municipal authorities and Khimki independent media representatives attended the hearing, which became loud and contentious. Leaders of press freedom NGOs expressed deep skepticism over the likelihood of the meeting's words translating into concrete action. End Summary.

12. (SBU) Recent attacks on independent journalists such as Mikhail Beketov in Khimki have caught international attention, leading the Public Chamber to declare its intention to create a center for defense of journalists' rights (reftel). Lawyers Association head Pavel Astakhov addressed the recent attack on Beketov (who remains in critical condition in a coma, with one leg amputated due to gangrene following a savage beating) at a packed, contentious hearing of the Commission on Communication, Information Policy and Media Freedom at the Public Chamber on November 125. Astakhov proposed a legal amendment to the criminal code increasing the punishment for endangering the life of a journalist to 12 to 20 years. Saying that "For too long bandits have considered killing journalists to be part of their work," he advocated putting journalists in the same category as police officers and government officials. He also proposed increasing the penalty for impeding a journalist's legal pursuit of his or her work to 80,000 rubles. In a November 26 meeting, Astakhov told us that he enjoyed good contacts within the Duma and was cautiously optimistic legislative action would be forthcoming.

13. (SBU) Public Chamber members at the meeting were nearly unanimous in their support of Astakhov's proposal as well as his indignation over the recent attacks. The one exception was Nashi member Irina Plasheva, who called independent journalists "unprofessional." A more common sentiment was expressed by Chamber member Nikolay Svanidze, television commentator and head of the Committee for Free Information, who called the recent attacks on "defenseless journalists" "monstrous," and said, "a blow to journalism is a blow to our society." Astakhov conceded to us that deteriorating economic conditions could exacerbate the dangerous conditions facing investigative journalists, particularly outside of Moscow and St. Petersburg, where critical NGO and international scrutiny was lacking.

14. (SBU) Chamber member Aleksandr Brod of the Moscow Bureau of Human Rights suggested that the Chamber coordinate with the various monitoring organizations supporting journalists throughout the country. He also criticized the General Prosecutor's recently announced plan to monitor the media for any "damaging" reports that might exacerbate the financial crisis; he said that journalists have the right to provide analysis on the situation, and that their inability to even use the word "crisis" is absurd. (Note: Putin's

acknowledgment of "difficult conditions" facing the country at the recent United Russia congress may signal greater GOR openness on that point. End note.)

15. (U) Marina Gridneva, representing the General Prosecutor's office on collaboration with the media, defended the GOR's policy, saying that no one in the media will receive any unwanted GOR attention unless they purposely publish false information related to the crisis. "This is not censorship," she emphasized. (Note: On November 26, Kommersant reported that columnist Yevgeny Gontmakher had received a warning letter from the Prosecutor's office for publishing a future scenario in which Russia's society disintegrates due to the crisis. End note.) She also claimed that the Prosecutor's office takes the Beketov case seriously, and offered as evidence of this its "re-qualification" of the attack as an attempted murder.

A Volatile Mix of Attendees from Khimki

16. (U) Pavel Gusev, President of the Commission and editor of the mainstream daily Moskovsky Komsomolets, invited local authorities from Khimki and Moscow to the meeting, as well as representatives of independent media in Khimki. Since widespread commentary -- as well as evidence of threats and intimidation -- links the attack on Beketov with his work to uncover corruption among Khimki authorities and to defend the Khimki forest against their construction projects, the mix proved to be a volatile one and Gusev frequently struggled to maintain decorum. Khimki mayor Vladimir Strelchenko, said that journalists "need to fight for their rights," and issued an invitation to any activist to visit Khimki. These blandishments were met with raucous catcalls from audience members and from the Khimki media representatives. Anatoly Yurov, editor of the Khimki-based Civil Consent, told the hearing that unknown assailants had attacked him three times in the past two years, on one occasion inflicting ten stab wounds. Gusev was reduced to reaffirming his faith in Russia and his hope that the Public Chamber could "help in some way," noting that "this isn't Africa." Vladislav Gulgo of the Moscow branch of the Interior Ministry, also present, said that they did not yet have any suspects in the attack. (Note: The investigation was moved to the Moscow oblast due to suspicion of Khimki authorities' objectivity in the case. End note.)

Simonov: Where Was the Public Chamber Last Year?

17. (C) Aleksey Simonov of the Glasnost Defense Fund pointed out that over the past two years, Beketov had his car burned and his dog killed; he also received numerous threats, and Khimki authorities opened a slander case against him. While all of these things were taking place, Simonov said, authorities and the Public Chamber paid the matter no attention. Simonov also noted that Article 144 of the law on media allows the GOR to close down a media entity on undefined grounds, giving it practically limitless latitude in silencing critics. He said that the Glasnost Defense Fund routinely sent letters to government officials complaining of harassment of journalists, but that he never received any response. Privately, he also expressed to us his deep skepticism for the Public Chamber as a body, saying that they have no mandate to change GOR policy and that this meeting had amounted to nothing more than "pretty words."

Street Protest

18. (SBU) On November 30, a little over 1000 protesters gathered in Khimki and in Moscow, accusing Mayor Strelchenko's office of ordering the Beketov attack. Former deputy director of the GOR's Office of Environmental Administration Oleg Mitvol spoke at the Moscow rally outside Chistiye Prudy metro station, noting that "Beketov is already the third editor to end up in intensive care." Mitvol in recent years headed inquiries into oil and gas projects, and

in some instances was accused of targeting specific firms in order to benefit state-owned companies. However, he now is battling his superiors at the environmental agency.

Comment

19. (C) If Khimki authorities intended to bury any controversy over their construction plans by attacking Beketov, the plan clearly backfired. The attack has received widespread coverage in domestic and international press, although state-run television has remained silent. Although the hearing's free-form discussion had the feel of a democratic town hall meeting, the Public Chamber is limited by its lack of authority. As Gusev correctly pointed out, the Public Chamber currently has no power to propose laws in the Duma, and no Duma representatives were present at the meeting. However, the Public Chamber continues to serve as a bully pulpit for otherwise establishment figures who seek incremental change and are reluctant to identify too closely with Russia's fractious opposition forces.

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